THE HONOURABLE SRI JUSTICE N.V.RAMANA

Writ Petition No.16087 of 2006

Dated: 07th September, 2006

Between:

R.V.Naik. **…..PETITIONER**

AND

Andhra Pradesh State Road Transport
Corporation, rep by its Managing Director,
Musheerabad, Hyderabad –20
and another. **….RESPONDENTS**

THE HONOURABLE SRI JUSTICE
N.V.RAMANA

W.P.No.16087 of 1995

ORDER:

This writ petition is filed questioning the Officer Order passed by the 2nd respondent, namely the Executive Director, A.P.S.R.T.C., VJA & VZM Zones, MGBS, Hyderabad in proceedings No.AM (P)/CONF (1)/2005-ED:V&V, dated 18-7-2006 imposing the punishment of deferment of annual increment for a period of one year and also recovery of House Rent Allowance of Rs.26,266.40 ps in twelve equal monthly installments.

The petitioner is Principal of Zonal Staff Training College, Gannavaram, and while working as such, he was issued charge-sheet dated 31-10-2005. The allegation in the charge sheet is that the petitioner while working as Deputy Chief Personnel Manager, Vizianagaram Zone, having stayed in the R.T.C Guest House during the period from 26-8-2004 to 11-8-2005, had drawn House Rent Allowance for the above said period, which constitutes a mis-conduct under Clauses (iv), (ix.a), (x) and (xxxii) of Regulation 28 of A.P.S.R.T.C Employees, (Conduct) Regulations, 1963. It is the further allegation that the petitioner has not vacated the Guest House and caused inconvenience to other officers. Petitioner submitted a detailed explanation on 22-11-2005 denying the said allegations. After conducting the enquiry and based on the enquiry report dated 17-

6-2006, the 2nd respondent after issuing show-cause notice, has passed the impugned order. Against the impugned order of the 2nd respondent, petitioner on 23-7-2006 filed an appeal under Regulation 22 of A.P.S.R.T.C. CC & A Regulation of 1967, before the 1st respondent, namely the Managing Director, A.P.S.R.T.C., Musheerabad, Hyderabad and the same is pending consideration.

On 3-8-2006, writ petition was admitted and notice was ordered to the respondents. Though notice is served to R.2 on 17-8-2006, no counter is filed.

Heard the learned counsel for the petitioner as also the learned Standing Counsel for A.P.S.R.T.C.

Inasmuch as the appeal, dated 23-7-2006 filed by the petitioner under Regulation 22 of A.P.S.R.T.C. CC & A Regulation of 1967 is pending before the 1st respondent, namely the Managing Director, A.P.S.R.T.C., Musheerabad, Hyderabad, both the counsel agreed for disposal of the writ petition with the following directions:

The 1st respondent is directed to consider and dispose of the appeal, dated 23-7-2006 of the petitioner, and pass appropriate orders thereon, in accordance with law, expeditiously. Till the disposal of the appeal there shall be stay of recovery of House Rent Allowance from the salary of the petitioner.

Accordingly, the writ petition is disposed of. No costs.

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(N.V. RAMANA, J.)

Date:07th September, 2006.
grk